

From: [Lavaty, Ann](#)
To: [VanGilder, Noah](#)
Cc: [DeLashmit, John](#); [Angelo, Robert](#)
Subject: FW: Multiple-Discharger Variance proposal
Date: Tuesday, May 05, 2015 8:31:38 AM
Attachments: [NH3_MDV_draft_050115.docx](#)
[ATT00001.htm](#)

Hi Noah,
We thought you would like to know about MDNR's MDV proposal.
Thanks, Ann

Ann Lavaty
Regional Water Quality Standards Coordinator
Water Quality Management Branch
Water, Wetlands, and Pesticides Division
USEPA Region 7
11201 Renner Boulevard
Lenexa, KS 66219
913-551-7370

From: DeLashmit, John
Sent: Monday, May 04, 2015 5:36 AM
To: Angelo, Robert
Cc: Lavaty, Ann; Bagley, Melissa
Subject: Fwd: Multiple-Discharger Variance proposal

[REDACTED]

Sent from my iPhone

Begin forwarded message:

From: "Wieberg, Chris" <chris.wieberg@dnr.mo.gov>
To: "DeLashmit, John" <Delashmit.John@epa.gov>, "Curtis, Glenn" <curtis.glenn@epa.gov>
Cc: "Hirschvogel, Lacey" <Lacey.Hirschvogel@dnr.mo.gov>, "John.Madras@dnr.mo.gov" <John.Madras@dnr.mo.gov>
Subject: FW: Multiple-Discharger Variance proposal

Glenn and John,

Attached is a multi-discharger variance (MDV) that the department would like your staff to review and provide comments. The template would serve as the model for which applicants would provide information to justify applicability to the MDV. The MDV will variance the water quality standards (WQS) for total ammonia nitrogen only and is based on 40 CFR 131.10(g) Factor 6. The

template also establishes the requirements of the variance. The MDV is intended for minor municipal publicly owned treatment works with a function lagoon treatment system. Each community that the department intends to include in the MDV is required to provide substantial information that their community will experience a substantial and widespread economic and social impact as a result of meeting permit limits based upon the Missouri total ammonia nitrogen water quality standard. The MDV establishes seasonal benchmark values for total ammonia nitrogen that represent the highest attainable effluent conditions a lagoon can accomplish. The MDV is proposed to have a timeframe of 10 years.

We would envision adding communities to this MDV on a yearly basis for at least a 5 year period given we would flag the potential communities during permit renewal. This doesn't however preclude a city from voluntarily soliciting interest in participation. Keep in mind that this is a template that goes over the MDV assumptions and once we agree on the assumptions we will proceed to gather city specific information to finalize our first round of MDV candidates.

The attached document begins with the proposed Department Recommendations to public notice, present to the Clean Water Commission and finally seek approval from EPA.

- Appendix A within the document is the fact sheet written by the department that details how the highest attainable effluent conditions for total ammonia nitrogen for lagoon systems in Missouri were determined.
- Appendix B within the document is the proposed application process for the MDV. Each community will need to complete an extensive application process which includes; the application, an alternatives analysis, and a letter from the Missouri Department of Conservation detailing the Natural Heritage Review Report. The document titled; Reasonable Alternatives Analysis is intended to enable small communities to complete the analysis without hiring an engineer/consultant. This will also provide consistency within the cost estimates and information required in the alternatives analysis. The entire application and all attached documents for each community will be attached as an appendix to the department recommendations. The department will also provide a current site visit to verify the lagoon was appropriately designed and has the potential to meet the highest attainable effluent conditions.
- Appendix C within the document is the fact sheet written by the department that details how a recirculating sand filter can meet the current WQS for total ammonia nitrogen. Initially, it was the department's intention to seek a MDV for both a lagoon system and a recirculating media filter. However, when more research was completed on the highest attainable effluent conditions for recirculating media filters, it was determined that well operated and maintained recirculating media filter can meet WQS for total ammonia nitrogen and therefore, should not be included in the request for a MDV.

Please let me know some potential dates for an initial phone conference to go over the concept. We would like to have EPAs input prior to rolling this out for stakeholder comment which we anticipate will be August. It is important that we get this complete as I am currently holding 3-5 permits for possible candidates for this variance. Please limit external distribution of this early draft if possible.

If your staff have technical questions please direct them to Lacey Hirschvogel at

573-751-9391 or via email at lacey.hirschvogel@dnr.mo.gov

Thanks,

Chris Wieberg
Chief, Operating Permits Section
Water Protection Program
573-526-5781